

NOV-01-04 16:14

FROM-BEUSSE BROWNLEE ET AL

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T-337 P.01/04 F-394

BEUSSE BROWNLEE WOLTER MORA & MAIRE, P.A.

FACSIMILE TRANSMITTAL SHEET

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RE:	YOUR REFERENCE NUMBER:
	Serial No. 10/635,889

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NOTES/COMMENTS

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TRANSMITTAL
FORM

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Total Number of Pages in This Submission

Application Number	10/635,869
Filing Date	08/06/2003
First Named Inventor	Mark Scribner
Art Unit	3632
Examiner Name	Szumny, Jonathon A.
Attorney Docket Number	10122-001

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Remarks	

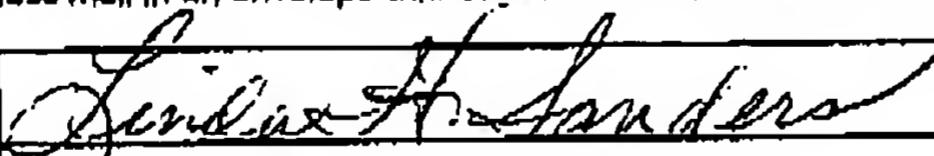
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Beusse Brownlee Wolter Mora & Maire, P.A.		
Signature			
Printed name	Linda H. Sanders		
Date	11/01/2004	Reg. No	45,089

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature



Typed or printed name

Linda H. Sanders

Date 11/01/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re: Application of:

Group Art Unit: 3632

Mark Schiebler

Examiner: Jonathon A. Szumny

Serial No.: 10/635,889

Filed: 04/06/2003

Title: Multi-Use Linkage Device

RESPONSE TO RESTRICTION REQUIREMENT

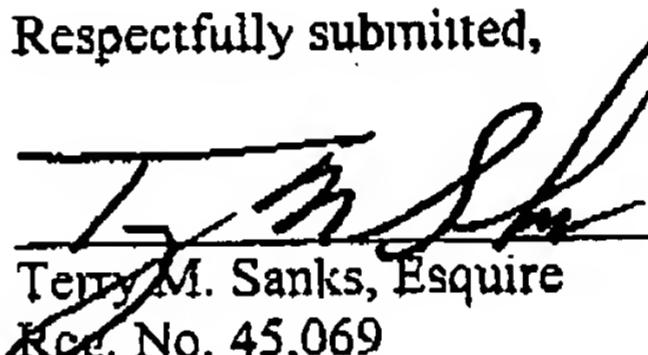
Applicant respectfully traverses the restriction requirement set forth in the Office Action dated as mailed September 30, 2004. Applicant traverses on the grounds that the Examiner has not demonstrated that examination of such distinct inventions in this Application would impose a burden on the PTO. In particular, the Examiner has failed to show either of the following: 1) that there is a separate classification of the distinct inventions; 2) that a separate field of search would be required for the distinct inventions; or 3) that such inventions have achieved a separate status in the art, even though they are classified together. Looking closely at what the Examiner has identified as the various species, it should be clear to the Examiner that many of the species identified should be grouped into a single species. For example, Species 3 could be an element in FIGS. 1, 2A, and 2B. FIG. 14 can be a part of the invention disclosed in FIGS. 1, 2A, and 2B. Likewise, FIGS. 9, 10, 11, 12, and 13 can also be a part of the invention disclosed in FIGS. 1, 2A, and 2B. Similarly FIGS. 27, 28, and 29 should be of the same species. These are just a few examples of where it should be clear that the species identified by the Examiner

should be combined. Furthermore, as presently claimed, independent claim 1, is a generic claim to all species.

For the sake of expeditiously moving forward with the prosecution of the present application and without any prejudice, applicant elects to prosecute claims associated with species 27, specifically FIG. 31. The specific claims are 1-2, 12, 13, 18, 23, 24, 28, 29, 30, 31, 32, 34, 36, 42, 43, 54, which are believed to comprise species 27 and dependent claims that are related to this species.

The Examiner is invited to call the undersigned attorney if there are any issues regarding this response that may be resolved via telephone conference.

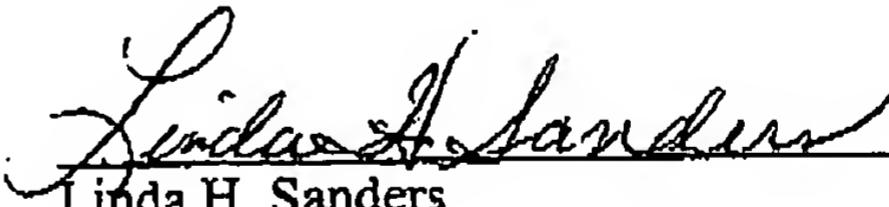
Respectfully submitted,



Terry M. Sanks, Esquire
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Certificate of Mailing

I HEREBY CERTIFY that the foregoing Response to Restriction Requirement has been furnished by facsimile to the Commissioner for Patents, Mail Stop AMENDMENT, Telephone: (407) 872-9306 this 1st day of November, 2004.



Linda H. Sanders